

GEORGIA BOARD OF CHIROPRACTIC EXAMINERS
Board Meeting
May 17, 2012 • 10:00 a.m.
Professional Licensing Boards
237 Coliseum Drive, Macon, GA

The Georgia Board of Chiropractic Examiners met on Thursday, May 17, 2012, at 237 Coliseum Drive, Macon, Georgia. The following members were present:

Board Members present

Dr. Karen Mathiak
Dr. David Wren
Dr. Chris Nelson

Administrative Staff Present:

Brig Zimmerman, Executive Director
Amy Morelli, Assistant Attorney General
Amanda Allen, Board Support Specialist

Board Members Absent:

Dr. Greg Baker
Ms. Emily Campbell

Guest Attendees:

Dr. Mary Watkins
Dr. Michael McPherson, GA Society of Anesthesiologists
Dr. Steven Walsh, GA Society of Anesthesiologists
Mr. Marcus Downs, Medical Association of Georgia
Ms. Patricia Yeatts, Medical Association of Georgia

Dr. Mathiak, Chair established that a quorum of the Board was not present; therefore, a sub-committee meeting was called to order at 10:35 a.m. All recommendations will be presented to the full Board during scheduled conference call at a later date and time.

Agenda:

Reviewed as presented

Public Rule Hearing:

Rule 100-18-.01 Manipulation Under Anesthesia

Dr. Mathiak called the Rule Hearing to order at 10:35 a.m. for Board Rule 100-18-.01 Manipulation Under Anesthesia. The sub-committee reviewed all verbal and written comments regarding possible rule adoption. Adoption of the rule amendments is scheduled to be held on June 14, 2012.

Approval of Minutes:

March 08, 2012- Board Meeting Minutes- No revisions required. Recommendation for approval as presented will be presented to the full Board during the scheduled conference call.

April 12, 2012- Investigative Committee Meeting Minutes-No revisions required. Recommendation for approval as presented will be presented to the full Board during the scheduled conference call.

Correspondences:

The sub-committee discussed correspondences and a response was provided by the sub-committee for the following individuals. Recommendations will be presented to the full Board during the scheduled conference call.

- Christopher Greene, James Woodford Eaton, John Dull, Laura Finley, Leanne Cupon, Metamatrix, Office of Insurance and Safety Commission

Executive Director's Report:

1. Review of the Memo from Attorney General Sam Olens regarding changes in the Open Meeting and Open Records Acts, HB 397, recently signed into law, effective April 17, 2012.

Recommendation for approval of the Executive Director's Report as presented will be presented to the full Board during the scheduled conference call.

Federal Student Loan Defaults:

- Dr. Cassius Clay, CHIR002191
- Dr. Luis E. Berbessi, CHIR005871

Federal Student Loan Defaults were presented to the sub-committee. Recommendations to suspend the license to practice as a Chiropractor effective 30-day from the date of the First Letter of Suspension for nonpayment status or default or breach of repayment or service obligation for his/her federal educational scholarship program program. Dr. Mathiak further recommended that such suspension shall be STAYED pending an appearance before the Board if a request for an appearance is timely received and that this suspension shall be lifted upon receipt of written release from the federal agency that the subject licensee's is not the person at issue or making payments on the loan, service conditional loan repayment program, or service conditional scholarship program satisfying the payment or service requirements in accordance with an agreement approved by the federal agency.

Petition for Variance/Waiver Request:

The Petition for Variance/Waiver request for Dr. Todd Hewitt was reviewed by the sub-committee. Recommendations will be made to the full Board during the scheduled conference call.

Applications Ratify List:

The applications ratify list was reviewed by the sub-committee. Recommendations will be presented to the full Board during the scheduled conference call.

The sub-committee entered into Executive Session in accordance with O.C.G.A. §43-1-2(k) (1) (2), §43-1-2-(k) (3) (4), §50-14-2(1) and §43-1-2 (k) (4) to deliberate on applications, complaints, and to receive the Assistant Attorney General's and Investigative Committee reports. All recommendations will be presented to the full Board during the scheduled conference call.

Applications:

Applications were presented and reviewed by the sub-committee. All recommendations will be presented to the full Board during the scheduled conference call.

Licensure by Application:

1. R.B. Approved pending the receipt of additional information
2. Beckwith, Christopher Approved for licensure

3. Chelenyak, Patricia	Approved for licensure
4. DiDomenicantonio, Domenico	Approved for licensure
5. A.G.	Pending the receipt of additional information
6. Hilliard, Averia	Approved for licensure
7. Jones, Millicent	Approved for licensure
8. R.N.	Refer to the AG's office
9. Olson, Tracy	Approved for licensure
10. Pero, Jason	Approved for licensure
11. T.S.	Denied due to disciplinary actions within another state or jurisdiction
12. Smith, Kevin	Approved for licensure
13. Vincent, Timothy	Approved for licensure

Licensure by Reinstatement:

1. J.B.	Issue upon the receipt of a signed public reprimand with fine
2. R.G.	Issue upon the receipt of a signed public reprimand with fine
3. T.G.	Approved pending the receipt of additional information

Investigative Committee Report:

The Investigative Committee presented the sub-committee with an overview of all open complaint cases. Recommendations to accept the Investigative Committee Report as presented will be presented to the full Board during the scheduled conference call.

Complaint cases closed, no additional actions required:

- CHIR110016, CHIR110041, CHIR110049, CHIR110052, CHIR120004, CHIR120007, CHIR120025, CHIR120026, CHIR120032, CHIR120035, CHIR120036, CHIR120039 and CHIR120041
- CHIR120047- Signed cease and desist order was received

Complaint cases pending further Board discussion or the receipt of additional information:

- CHIR120023, CHIR120033, CHIR120043, CHIR120044, CHIR120045 and CHIR120049

Complaint cases referred to the Attorney General's Office:

- CHIR100035

Complaint cases pending an Investigative Interview:

- CHIR110017, CHIR120004, CHIR120037 and CHIR120038

Complaint cases referred to the Enforcement Division:

- CHIR120028

Attorney General's Report:

Assistant Attorney General, Amy Morelli provided the Board with a status report which included information on any cases referred for action.

Recommendations to accept the Attorney General's Report as presented will be presented to the full Board during the scheduled conference call.

With no additional business to be discussed, the sub-committee adjourned the meeting at 3:34 p.m.

Minutes recorded by:

Amanda M. Allen, Board Support Specialist

Minutes reviewed and edited by:

Brig Zimmerman, Executive Director

Dr. Karen Mathiak, Chair

Brig Zimmerman, Executive Director

These minutes were signed and approved on **07-12-2012**.